

1 **BEFORE THE FEDERAL ELECTION COMMISSION**

2
3 In the Matter of)

4)
5 MUR 6047)

6 VERNON JONES FOR CONGRESS)

7 AND PATRICIA MOORE AS)

8 TREASURER)
9

CASE CLOSURE UNDER THE

ENFORCEMENT PRIORITY SYSTEM

10
11 **GENERAL COUNSEL'S REPORT**

12 Under the Enforcement Priority System matters may be dismissed where the
13 Commission has determined that pursuing the allegations in a complaint are an inefficient
14 use of Commission resources and warrants the exercise of its prosecutorial discretion to
15 dismiss the case.¹

16 In this case, the complainant, Edward Hula, alleges that the Vernon Jones for
17 Congress and Patricia Moore, in her official capacity as treasurer ("Committee"), violated the
18 Federal Election Campaign Act ("Act"), as amended, by failing to include adequate
19 disclaimers on its campaign advertisements the Committee used throughout the state of
20 Georgia. Specifically, the complaint includes photographs taken of what appears to be the
21 Committee's signs and photocopies of purported e-mails created by the Committee, neither
22 of which appear to have the required disclaimers under 2 U.S.C. § 441d(a)(1).

23 The Committee acknowledged that it failed to include the appropriate disclaimers on
24 its advertisements. The Committee explained that this was the candidate's first bid for
25 federal office and the Committee was not aware that its failure to include disclaimers violated
26 the Act. Additionally, the Committee stated that the oversight was unintentional.

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In considering the lack of experience of the Committee along with the nature of the allegations, and in furtherance of the Commission's priorities and resources, relative to other matters pending on the Enforcement docket, the Office of General Counsel believes that the Commission should exercise its prosecutorial discretion and dismiss the matter. *See Heckler v. Chaney*, 470 U.S. 821 (1985). Additionally, this Office recommends that the Committee and treasurer be cautioned that failing to include the appropriate disclaimers on the Committee's campaign materials may have potentially violated 2 U.S.C. 441d(a)(1).

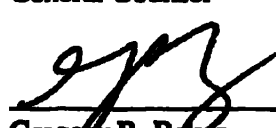
RECOMMENDATION

The Office of General Counsel recommends that the Commission dismiss MUR 6047, send a cautionary notification to Vernon Jones for Congress and Patricia Moore, in her official capacity as treasurer, close the file, and approve the appropriate letter.

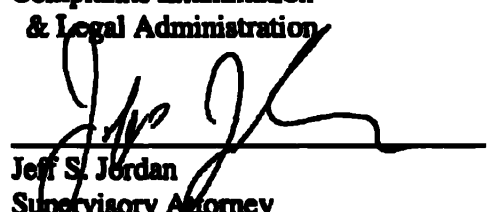
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